

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 4, 2019

Via Email

Emma Cheuse
Robyn Winz
Earthjustice

Re: TCEQ Public Information Act Request No. 19-48291;
Open Letter Ruling OR2019-26474

Dear Mmes. Cheuse and Winz:

The Texas Commission on Environmental Quality (TCEQ) has submitted a request to the Office of the Attorney General to represent the TCEQ in a suit pursuant to Tex. Gov't Code § 552.324, seeking declaratory relief from compliance with Open Letter Ruling OR2019-26474 pending review of TCEQ's Request for Correction submitted to the Open Records Division on September 30, 2019, a copy of which was provided to you on that date. Accordingly, the information at issue will not be released until or unless otherwise ordered by the Court.

If you have any questions about this matter, please do not hesitate to contact me at (512) 239-0019 or my e-mail address listed below.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lena Roberts".

Lena Roberts, Public Information Counsel
General Law Division
Texas Commission on Environmental Quality
lana.roberts@tceq.texas.gov

Enclosure

cc: Robert Martinez, TCEQ Environmental Law Division
Betsy Peticolas, TCEQ Environmental Law Division
Jessica Ruiz, TCEQ General Law Division